

TOWN OF WATERBORO
PLANNING BOARD

WATERBORO, MAINE



MINUTES

March 10, 1983, Special Meeting for Planning Board, Selectmen & Code Enforcement Officer with Counsel Stephen Murray.

7:15 PM.

Present:

Planning Board, Chmn. Roland Denby, Russell Keith, Michael Hammond, Kathleen Moody, Frank Griggs.

Selectmen: Andrew Woodsome, Robert Fay

Code Enforcement Officer: Van Foglio

Legal Counsel: Atty. Stephen Murray

Re: Buff Brook Estates Subdivision developed by Southern Maine Realty Trust, Mr. James Perry, Trustee.

Specific purpose of meeting is to discuss controversy with regards to required standards for construction of Buff Brook Road. Original Planning Board acceptance was subject to road being completed up to and including frontage of any lot being sold. Original requirements were for 12" gravel base with gravel top. It appears lots have been conveyed prior to road completions to same; said conveyances would, therefore, be illegal. Lots 28, 29, 36, 37, 38 & 39 have been sold, to date three dwellings have been erected.

Mr. Murray suggested we file an affidavit with a noncompliance list in the York County Registry of Deeds. This action would cloud the title and inhibit future sales. Existing violations may be subject to fines at \$1,000. each.

We also may file an injunction in which case we would be awarded legal fees incurred through prosecution.

The proposal for Buff Brook subdivision was originally submitted to the Planning Board for approval with the name Mountain View Estates, Waterboro already had a subdivision named Mountain View Estates so the proposed subdivision was renamed Buff Brook. There was an oversight in the road profile for Buff Brook, the road remain Mountain View Road and was not changed with the subdivision names.

Atty. Murray believes we have support in 2151 Title 30 for denying the issuance of building permits. Van will not issue an occupancy permit for lot 28. Lots of 40 acres or more are not subject to subdivision status.

Andrew Woodsome has a copy of a deed dated 8/30/82 and recorded in book 2974 page 347 in which all of Buff Brook excepting lots 28,29,30,31, 32,34,35,36,37,38 &55 were conveyed to SanaSabbagh, Sohail Sallagh, Samir Sallagh of England John Saliba & Thomas Saliba of Maine and Barbara Saliba of Virginia by Southern Maine Realty Trust, James Perry and Ribra Hanson Trustees.

Atty Murray suggested we file a stop order in the event that at a later date something needed to be done,ie. injunction, we would have been proceeding in proper channels.

Atty. Murray also suggested we contact Mr. Tom Salba regarding our concern and proposed action for Buff Brook. Atty. Murray has dealt with Mr.Salbia in the past and feels that he will be cooperative and informative.

Atty. Murray suggested we not issue further building or power permits for Buff Brook.

Atty. Murray will be out of town for about a week but upon return he will:

1. Prepare a stop order for Selectmen
2. Prepare an affidavit from the Planning Board.
3. Write Mr.Perry of our intentions.
4. Contact Mr. Salbia proposing a meeting.

Meeting adjourned.

APPROVALS:

Russ Keith
Roland E. Derby
Frank Briggs
Michael Hammond

Respectfully submitted,

Kathleen Moody